APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/841,598	04/25/2001	Kouichi Matsuda	206340US6	4766

22850	7590	02/08/2005

OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER
NANO, SARGON N

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>03 November 2004</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the amendment received on Nov. 3 , 2004

.Claims 1 – 4 are pending examination.

2.   *Claim Rejections - 35 USC § 112*

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly
claiming the subject matter which the applicant regards as his invention.

Claim 1, line 14 recites the limitation "the data intact". There is insufficient

antecedent basis for this limitation in the claim.

3.   *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102

that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in
public use or on sale in this country, more than one year prior to the date of application for patent in the
United States.

Claims 1 – 4 are rejected under 35 U.S.C. 102(b) as being anticipated

by Morse et al. 5,802,296

As to claim 1, Morse teaches an information processing apparatus which is connected to a server along with other information processing apparatuses through a network and which is supplied with a shared virtual space wherein avatars representing users remain active (see col. 2 line 15 – col. 3, line 67), said information processing apparatus comprising:

a registering unit configured for registering any of said avatars as an object to be filtered out; (see col. 2 lines 64 – col. 3 line 5 Morse teaches choosing certain avatars to be exited).

a receiving unit configured to receive data corresponding to said shared virtual space from said server (see col.7 lines 22 – 31 , Morse discloses an a request by a supervisory avatar a request to delete or force log out of another avatar, where the received request is the received data).

a determining unit configured to determine whether said received data includes data representative of any avatar as an object to be filtered out (see col. 7 line 22 – 31, the received request identifies an avatar to be logged out).

a filtering unit configured to delete the data to be filtered out from said data ; (see col. 7 lines 22-31, Morse teaches deleting or forcing a log off of other avatar users where the deletion of the avatar corresponds to deleting of "data"). and

a processing unit configured to process said shared virtual space based on the data left intact following the filtering by said filtering unit (see col. 2 lines 64 – col.3 line 13 Morse teaches the processing means by deleting an avatar).

As to claim 2, Morse teaches an information processing apparatus according to claim 1, further comprising requesting means for requesting any of said other information processing apparatuses to register the avatar representing the requesting user as an object to be filtered out; (see col. 2 lines 64 – col. 3 line 7).

wherein said registering means, in response to the request from the other information processing apparatus, registers the avatar representing the requesting user as an object to be filtered out. (see col. 2 lines 64 – col. 3 line 13 More teaches certain avatar user to leave to a different locale or to exit).

As to claim 3, Morse teaches an information processing method for use with an information processing apparatus which is connected to a server along with other information processing apparatuses through a network and which is supplied with a shared virtual space wherein avatars representing users remain active, said information processing method comprising the steps of:

registering any of said avatars as an object to be filtered out;   (see col. 2 lines 64 – col. 3 line 5 Morse teaches choosing certain avatars to be exited).

filtering out data on the avatar registered in said registering step, said data having been transmitted from said server; and (see col. 2 lines 66 – col. 3 line 2 Morse teaches a log off of other avatar users).

processing said shared virtual space based on the data left intact following the filtering in said filtering step. (see col. 2 lines 64 – col.3 lines 13 Morse teaches the processing means by deleting an avatar).

As to claim 4, Morse teaches a storage medium which stores a computer-readable program for use by an information processing apparatus which is connected to a server along with other information processing apparatuses through a network and which is supplied with a shared virtual space wherein avatars representing users remain active, the program comprising the steps of:

registering any of said avatars as an object to be filtered out; (see col. 2 lines 64 – col. 3 line 5 Morse teaches choosing certain avatars to be exited).

filtering out data on the avatar registered in said registering step, said data having been transmitted from said server; and (see col. 2 lines 66 – col. 3 line 2 Morse teaches a log off of other avatar users).

processing said shared virtual space based on the data left intact following the filtering in said filtering step. (see col. 2 lines 64 – col.3 lines13 , Morse teaches the processing means by deleting an avatar).

3.   Applicant's arguments filed have been fully considered but they are not persuasive.

In the remarks, applicants argues in substance that; A) Morse does not disclose a registering unit configured to register any one of the avatars as an object to be filtered out B) Morse does not disclose determining if any information is filtered based on information stored in a registering unit.

In response to A) Morse teaches a computer system including computers interconnected by a network creates a virtual world in which computer users can interact with each other. A user may be given supervisory powers to have

additional control over images on the displays. For example, a user having supervisory powers can summon other users, restrict other users representations' ability to speak or move, create, delete or modify virtual objects in the virtual world (see abstract). Morse teaches a server computer includes a data structure for each object in the virtual world. The data structure for an avatar includes data bits that define the avatar's powers. The system provides 3 levels of supervisory powers (see col. 3 lines 14 any-18). There is no limitation in the claim on the content of the registration information for avatars and therefore the avatars and the associated supervisory powers meet the scope of the claimed limitation "a registering unit to register avatars".

In response to B), applicant is arguing Morse does not disclose determining if any information is filtered based on information stored in a registering unit. This limitation "filtered based on information stored in a registering unit" is not found in the claims. Claimed subject matter not the specification is the measure of the invention. Disclosure contained in the specification cannot be read into the claims for the purpose of avoiding prior art. In re Sporck, 55 CCPA 743, 386 F .2d 924, 155 USPQ 687 (1986); In re Self, 213 USPQ 1, 5 (CCPA 1982); In re Priest, 199 USPQ 11, 15 (CCPA 1978).

4.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire

THREE MONTHS from the mailing date of this action. In the event a first reply is

filed within TWO MONTHS of the mailing date of this final action and the advisory

action is not mailed until after the end of the THREE-MONTH shortened statutory

period, then the shortened statutory period will expire on the date the advisory action

is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from

the mailing date of the advisory action. In no event, however, will the statutory

period for reply expire later than SIX MONTHS from the date of this final action.

5.   Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Sargon N Nano whose telephone number is

(571) 272-4007. The examiner can normally be reached on 8 hour.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax

phone number for the organization where this application or proceeding is assigned

is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR

only. For more information about the PAIR system, see http://pair-direct.uspto.gov.

Should you have questions on access to the Private PAIR system, contact the

Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sargon Nano

Feb. 1, 2005

ARIC ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100